



CLALLAM COUNTY  
Department of Community Development  
County Courthouse  
223 E. 4th St., Suite 5  
Port Angeles, WA 98362-3015  
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[gballard@co.clallam.wa.us](mailto:gballard@co.clallam.wa.us)

Mary Ellen Winborn, Director

February 12, 2020

Elizabeth Tobin  
Jamestown S'Klallam Tribe (JST)  
1033 Old Blyn Highway  
Sequim, WA 98382

SUBJ: Decision to **Approve** Phase 1 (5 acres of on-bottom bags) of Shoreline CUP and Substantial Development (SHR 2017-11) proposed by the Jamestown S'Klallam to re-establish oyster aquaculture in Dungeness Bay. A 50 acre area is being leased from DNR at the northwest corner of Dungeness Bay near the Dungeness Spit.

Dear Ms. Tobin:

The Clallam County's review of the above referenced permit decision has concluded.

The permit and supporting documents were forwarded to the Washington State Department of Ecology (DOE) for filing.

Construction pursuant to the permit may not begin, nor be authorized, until twenty-one (21) from the date of filing with DOE as defined by RCW 90.58.140(5)&(6) and WAC 173-27-130, or until all review proceedings initiated within twenty-one days from the date of such filing have terminated, except as provided in RCW 90.58.140(5)(a),(b),&(c).

You will receive notification from DOE of the filing date and the date construction may begin. Please contact Rebecca Rothwell, Permit Coordinator for the DOE Shorelands –Southwest Regional Office at (360) 407-7273 for more information regarding the DOE process.

If you have any questions regarding this information, please contact me at (360) 565-2616, or send me an e-mail at [gballard@co.clallam.wa.us](mailto:gballard@co.clallam.wa.us).

Sincerely,

  
Project Planner

Shoreline Management Act  
Permit Data Sheet and Transmittal Letter  
(Appendix A - WAC 173-27-990)

**From:** Clallam County  
Dept. of Community Development  
Planning Division  
223 E. 4<sup>th</sup> St., Suite 5  
Port Angeles, WA 98362

**To:** Rebecca Rothwell, Permit Coordinator  
Southwest Regional Office  
WA State Dept. of Ecology-Shorelands  
P.O. Box 47600  
Olympia, WA 98504

Date of Transmittal: February 11, 2020

Date Received by DOE: \_\_\_\_\_

Type of Permit: The Jamestown S'Klallam Tribe (JST) is proposing to re-establish oyster aquaculture in Dungeness Bay. This would entail the placement of on-bottom mesh bags containing oyster seed and growing oysters on the natural substrate. This proposal requires a Shoreline Substantial Development and Conditional Use Permit (SHR 2017-00011). A 50 acre area is being leased from DNR at the northwest corner of Dungeness Bay near the Dungeness Spit.

Local Government Decision: Approval Phase 1 (5 ac on-bottom bags) with Conditions (attached):

**Applicant:** Jamestown S'Klallam Tribe (JST)  
1033 Old Blyn Highway  
Sequim, WA 98382

**Location of the Property:** The 50 acre leased area is located approximately 5.5 miles northwest of the City of Sequim. The leased area is 731 feet wide by 2,977 feet long starts at the approximate mean lower low water (MLLW) and extends approximately 731 feet (waterward) into Dungeness Bay (Latitude 48.024N, Longitude -123.004W). This proposal is located at the northwest corner of Dungeness Bay south of the Dungeness Spit. Although DNR owns the aquatic lands, the 50 acre leased area is contained within the boundary of Dungeness National Wildlife Refuge

**Water Body Name:** Dungeness Bay - Strait of Juan de Fuca: Natural; Shoreline of Statewide Significance: Yes;

**Description of the Project:** The JST has a 50 acre Aquatic Lease from the DNR. A 25 foot buffer was provided from eelgrass beds determined through an eel grass survey. This eliminated 16 acres from being utilized for oyster production. For the 34 acres remaining, on-bottom bag culture methods will be used by anchoring lines of black mesh oyster bags to the substrate.

The bags would contain naturalized Pacific oyster seed. The applicant may spread mature oysters onto the natural substrate to achieve desired characteristics. The on-bottom bags would be approximately 2 ft. wide by 3 ft. long by 0.5 ft. high. There would be an approximate 6 feet of separation between each row of bags (based on visual representation). The applicant estimates that the bags would be located between a +1 and the -2 tidal elevation, and would only be visible from a close proximity (<100 yards) during minus tides. The Visual Analysis bags would be exposed on average 10 percent of the time during daylight hours, and only visible from a few viewing locations on the Dungeness Spit.

The on-bottom bag density is estimated to be approximately 4,000 bags per acre with a maximum number of 80,000 bags throughout the 34 acre farming area. The project would be development in 3 phases: Phase 1: (years 1 & 2) 5 acres of on-bottom bags; Phase 2 (Years 3 to 5) up to 10 acres of bags; Phase 3 (Years 5 and beyond) maximum of 20 acres of on bottom bags over the 34 acre area. If impacts to bird or eelgrass beds occur from the initial phases of the project, the placement of additional bags may be reduced as outline in the Monitoring and Mitigation Plan. Each bag would contain from 100 to 200 single oyster seed. The single oyster seed is intended for the fresh shucked oyster market, and would grow out for approximately 14 months in bags. The mature oysters may be spread onto the natural substrate to achieve desired characteristics. The applicant has estimated that the proposal would have 3 to 15 employees that would access the site by a small (~30 ft) marine vessel as addressed in the Operation Plan.

Notice of Application Date: October 21, 2019      Final Decision Date: February 6, 2020

If you have any questions please contact Greg Ballard, project planner at (360) 565-2616.



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Mary Ellen Winborn, Director

February 11, 2020

Rebecca Rothwell, Permit Coordinator  
Southwest Regional Office  
WA State Dept. of Ecology-Shorelands  
P.O. Box 47600  
Olympia, WA 98504

Decision to **Approve** Phase 1 (5 acres of on-bottom bags) of Shoreline CUP and Substantial Development (SHR 2017-11) proposed by the Jamestown S'Klallam to re-establish oyster aquaculture in Dungeness Bay. A 50 acre area is being leased from DNR at the northwest corner of Dungeness Bay near the Dungeness Spit.

Dear Ms. Rothwell:

Enclosed is the information for the APPROVAL of Phase 1 of the above referenced case.

A check next to the following items indicated that they are included in the packet:

- ☒ Shoreline Transmittal Letter
- ☐ Clallam County Board of County Commissioners Resolution
- ☒ Reconsideration of Condition #9 of the Hearing Examiner's Decision – Website A5 *(includes modified H.E. Decision)*
- ☒ Hearing Examiner's Decision – Website A5
- ☒ Exhibit Log
- ☒ DCD Planning Division Staff Report - Exhibit 78 (A9)
- ☒ SEPA Final Threshold Determination - MDNS, SEPA Memo, Env Checklist Ex 79 (B0)
- ☐ Other Permits/Approvals received from other agencies (i.e. HPA) \_\_\_\_\_
- ☐ Studies or Reports Submitted - Exhibits 86-92C (B1.5 to B1.83)
- ☐ JARPA & other applications - Exhibit 83 (B1.3)
- ☐ Site Plan and maps Exhibit 85 (B1.4)
- ☐ Other – The complete DCD record is available under individual PDF at Clallam County On-Line Permit System and entering SHR2017-00011

If you have any further questions regarding this matter, please feel free to contact me at (360) 565-2616.

Sincerely,

A handwritten signature in blue ink that reads "Greg Ballard".  
Greg Ballard, Senior Planner

Enclosures.